

Office of Asst. Sec. for Housing, HUD

§ 3282.1

- 3282.203 DAPIA services.
- 3282.204 IPIA services.
- 3282.205 Certification requirements.
- 3282.206 Disagreement with IPIA or DAPIA.
- 3282.207 Manufactured home consumer manual requirements.
- 3282.208 Remedial actions—general description.
- 3282.209 Report requirements.
- 3282.210 Payment of monitoring fee.
- 3282.211 Record of purchasers.

Subpart F—Retailer and Distributor Responsibilities

- 3282.251 Scope and purpose.
- 3282.252 Prohibition of sale.
- 3282.253 Removal of prohibition of sale.
- 3282.254 Distributor and retailer alterations.
- 3282.255 Completion of information card.
- 3282.256 Distributor or retailer complaint handling.

Subpart G—State Administrative Agencies

- 3282.301 General—scope.
- 3282.302 State plan.
- 3282.303 State plan—suggested provisions.
- 3282.304 Inadequate State plan.
- 3282.305 State plan approval.
- 3282.306 Withdrawal of State approval.
- 3282.307 Monitoring inspection fee establishment and distribution.
- 3282.308 State participation in monitoring of primary inspection agencies.
- 3282.309 Formal and informal presentations of views held by SAAs.

Subpart H—Primary Inspection Agencies

- 3282.351 General.
- 3282.352 State exclusive IPIA functions.
- 3282.353 Submission format.
- 3282.354 Submittal of false information or refusal to submit information.
- 3282.355 Submission acceptance.
- 3282.356 Disqualification and requalification of primary inspection agencies.
- 3282.357 Background and experience.
- 3282.358 Personnel.
- 3282.359 Conflict of interest.
- 3282.360 PIA acceptance of product certification programs or listings.
- 3282.361 Design Approval Primary Inspection Agency (DAPIA).
- 3282.362 Production Inspection Primary Inspection Agencies (IPIAs).
- 3282.363 Right of entry and inspection.
- 3282.364 Inspection responsibilities and coordination.
- 3282.365 Forwarding monitoring fee.
- 3282.366 Notification and correction campaign responsibilities.

Subpart I—Consumer Complaint Handling and Remedial Actions

- 3282.401 Purpose and scope.

- 3282.402 General provisions.
- 3282.403 Consumer complaint and information referral.
- 3282.404 Manufacturers' determinations and related concurrences.
- 3282.405 Notification pursuant to manufacturer's determination.
- 3282.406 Required manufacturer correction.
- 3282.407 Voluntary compliance with the notification and correction requirements under the Act.
- 3282.408 Plan of notification required.
- 3282.409 Contents of plan.
- 3282.410 Implementation of plan.
- 3282.411 SAA initiation of remedial action.
- 3282.412 Preliminary and final administrative determinations.
- 3282.413 Implementation of Final Determination.
- 3282.414 Replacement or repurchase of homes after sale to purchaser.
- 3282.415 Correction of homes before sale to purchaser.
- 3282.416 Oversight of notification and correction activities.
- 3282.417 Recordkeeping requirements.
- 3282.418 Factors for appropriateness and amount of civil penalties.

Subpart J—Monitoring of Primary Inspection Agencies

- 3282.451 General.
- 3282.452 Participation in monitoring.
- 3282.453 Frequency and extent of monitoring.

Subpart K—Departmental Oversight

- 3282.501 General.
- 3282.502 Departmental implementation.
- 3282.503 Determinations and hearings.

Subpart L—Manufacturer, IPIA and SAA Reports

- 3282.551 Scope and purpose.
- 3282.552 Manufacturer reports for joint monitoring fees.
- 3282.553 IPIA reports.
- 3282.554 SAA reports.

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Subpart A—General

§ 3282.1 Scope and purpose.

(a) The National Manufactured Housing Construction and Safety Standards Act of 1974 (title VI of Pub. L. 93-383, 88

Stat. 700, 42 U.S.C. 5401, *et seq.*) (hereinafter referred to as the Act), requires the Secretary of the Department of Housing and Urban Development to establish Federal manufactured home construction and safety standards and to issue regulations to carry out the purpose of the Act. The standards promulgated pursuant to the Act appear at part 3280 of chapter XX of this title, and apply to all manufactured homes manufactured for sale to purchasers in the United States on or after the effective date of the standards (June 15, 1976). A manufactured home is manufactured on or after June 15, 1976, if it enters the first stage of production on or after that date.

(b) The Secretary is also authorized by the Act to conduct inspections and investigations necessary to enforce the standards, to determine that a manufactured home fails to comply with an applicable standard or contains a defect or an imminent safety hazard, and to direct the manufacturer to furnish notification thereof, and in some cases, to remedy the defect or imminent safety hazard. The purpose of this part is to prescribe procedures for the implementation of these responsibilities of the Secretary under the Act through the use of private and State inspection organizations and cooperation with State manufactured home agencies. It is the policy of the Department to involve State agencies in the enforcement of the Federal manufactured home standards to the maximum extent possible consistent with the capabilities of such agencies and the public interest. The procedures for investigations and investigational proceedings are set forth in 24 CFR part 3800.

[41 FR 19852, May 13, 1976, as amended at 61 FR 10442, Mar. 13, 1996]

§ 3282.6 Separability of provisions.

If any clause, sentence, paragraph, section or other portion of part 3282 shall, for any reason, be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined by its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment shall have been rendered.

§ 3282.7 Definitions.

The terms *Department*, *HUD*, and *Secretary* are defined in 24 CFR part 5.

(a) *Act* means the National Manufactured Housing Construction and Safety Standards Act of 1974, title VI of the Housing and Community Development Act of 1974 (42 U.S.C. 5401 *et seq.*)

(b) *Add-on* means any structure (except a structure designed or produced as an integral part of a manufactured home) which, when attached to the basic manufactured home unit, increases the area, either living or storage, of the manufactured home.

(c) *Alteration* means the replacement, addition, and modification, or removal of any equipment or installation after sale by a manufacturer to a retailer or distributor but prior to sale by a retailer to a purchaser which may affect the construction, fire safety, occupancy, plumbing, heat-producing or electrical system. It includes any modification made in the manufactured home that may affect the compliance of the home with the standards, but it does not include the repair or replacement of a component or appliance requiring plug-in to an electrical receptacle where the replaced item is of the same configuration and rating as the one being replaced. It also does not include the addition of an appliance requiring *plug-in* to an electrical receptacle, which appliance was not provided with the manufactured home by the manufacturer, if the rating of the appliance does not exceed the rating of the receptacle to which it is connected.

(d) *Certification label* see *label*.

(e) *Certification report* means the report prepared by an IPIA (see definition z) for each manufactured home manufacturing plant under § 3282.203 in which the IPIA provides a complete description of the initial comprehensive inspection of the plant, an evaluation of the quality assurance program under the approved quality assurance manual, and the identity of the DAPIA (see definition z) which approved the designs and quality assurance manual used in the plant. Where appropriate under § 3282.362(b)(5), the certification report may be made by a DAPIA.

(f) *Component* means any part, material or appliance which is built in as an integral part of the manufactured